

BOARD OF SUPERVISORS

Brown County



305 E. WALNUT STREET
P. O. BOX 23600
GREEN BAY, WISCONSIN 54305-3600
PHONE (920) 448-4015 FAX (920) 448-6221

PUBLIC SAFETY COMMITTEE
Andy Nicholson, Chair
Tom De Wane, Vice Chair
Carole Andrews, Bill Clancy, Andy Williams

PUBLIC SAFETY COMMITTEE

Wednesday, September 2, 2009

5:00 p.m.

Emergency Operations Center

3030 Curry Lane

(Use the main Jail entrance)

- I. Call meeting to order.
 - II. Approve/modify agenda.
 - III. Approve/modify minutes of August 5, 2009.
1. Review minutes and reports of:
 - a. Fire Investigation Task Force General Membership (5/28/09).
 - b. Special Public Safety Committee (8/25/09).

Communications

2. Communication from Supervisor Scray re: Review BC requirements of ID when applying for any Social Services from the County. Discuss the possibility of making Brown County requirements of ID stricter to prevent fraud. (Referred from August County Board.)

District Attorney

3. Monthly drug criminal complaint numbers (standing item).
4. Request for Budget Transfer (#09-57): Interdepartmental Transfer: Request to cover the 2008 deficit of \$40,362 for the District Attorney. (See attached for details.)

Sheriff

5. Key Factor Report for September and Jail Average Daily Population by Month and Type for the Calendar Year 2009.
6. Request for Budget Transfer (#09-58): Interdepartmental Transfer: Request to cover the Sheriff's 2008 deficit in the amount of \$1,034,553. (See attached for details.)
7. Request for Budget Transfer (#09-73): Increase in Expenditures with Offsetting Increase in Revenues.
8. Sheriff's Report.

Teen Court

9. July 2009 Teen Court Stats.

Public Safety Communications

10. IFERN/MARC Repeater ID Homeland Security Grant Award,
11. Green Bay Back-up 800 MHz station at Lambeau Field.
12. Director's Report.

Clerk of Courts

13. Request for Budget Transfer (#09-55): Interdepartmental Transfer: Request to cover the Clerk of Courts 2008 deficit in the amount of \$57,379. (See attached for details.)

Circuit Courts

14. Request for Budget Transfer (#09-56): Interdepartmental Transfer: Request to cover the Circuit Courts 1-8 2008 deficit in the amount of \$72,759. (See attached for details.)
15. **Closed Session:** Pursuant to Sec. 19.85(1)(c), Wisconsin Statutes to consider the potential employment of several individuals at the Communications Center.
16. **Medical Examiner** No agenda items.

Other

17. Audit of bills.
18. Such other matters as authorized by law.

Andy Nicholson, Chair

Notice is hereby given that action by the Committee may be taken on any of the items which are described or listed in this agenda.

Please take notice that it is possible additional members of the Board of Supervisors may attend this meeting, resulting in a majority or quorum of the Board of Supervisors. This may constitute a meeting of the Board of Supervisors for purposes of discussion and information gathering relative to this agenda.

Word97/agendas/pubsaf/September_2009.doc

PROCEEDINGS OF THE BROWN COUNTY FIRE INVESTIGATION TASK FORCE
GENERAL MEMBERSHIP

A meeting of the General Membership of the Brown County Fire Investigation Task Force was held on Thursday, May 28, 2009, at 7:00 p.m., at the De Pere Fire Department, 400 Lewis Street, De Pere, WI.

Present: Dave Seidl, Norman Heraly, Tom Hendricks, Dan Kerkhoff, Joe Gabe, Matt Maleport, Glenn Deviley, Angie Cali, Terry Rottier, Brad Neville, Jim Stupka, Rick Davidson, Brad Muller

Item #1. Adoption of Agenda.

Motion was made by Stupka and seconded by Rottier to adopt the agenda. **Motion carried.**

Item #2. Review Minutes of Previous Meeting.

Motion was made by Stupka and seconded by Hendricks to approve the minutes of the last meeting. **Motion carried.**

Item #3. Report of Task Force Activities.

Muller reported that the fire investigation unit was called out to the following fires since the last meeting:

03-20-09 433 Crooks St., Green Bay (multi-family residence/arson)
03-24-09 253 W. Pulaski St., Pulaski (single-family residence/arson/arrest)
03-28-09 3038 S. Michiels Rd., Denmark (single-family residence/under investigation)
05-07-09 1164 O'Hare Blvd., Hobart (business/accidental)
05-26-09 3809 Shirley Rd., Morrison (business/under investigation)
05-27-09 514-13th Ave., Green Bay (garage/vehicle/arson)

Jimmy Knight was convicted again in his appeal.

Gabe reported that the FBI notified that a serial arsonist who is now in jail outside of Tampa, Florida, and currently awaiting the electric chair was living in Green Bay from September 2008 to January 2009. The subject's name is David Justin Bradshaw, DOB 09-07-78. He was living in the homeless shelter off of Broadway in Green Bay. Gabe reported that there were 7 or 8 small fires in Green Bay near where Bradshaw lived and worked.

Item #4. Information from Board of Directors Meeting.

Muller reported that the last meeting was held on May 21, 2009. He stated that there was discussion about the fire investigation unit responding to fires outside of the county where the local fire departments have jurisdiction, being the Denmark, Wrightstown, Hollandtown, and Tri-County fire departments. Chief Deputy Gossage and Sheriff Kocken are okay with the fire investigation unit going out to investigate cause and origin for these local fire departments outside of the county. However, if it is determined to be a crime scene, the investigation will need to be turned over to that jurisdiction's sheriff's department.

Kyle Lauf of the Bellevue Fire Department was approved as an intern. Approval of Christopher Brodbeck of the Suamico Fire Department was tabled until the Board checks on his years of service.

The next meeting is set for September 17, 2009, at 9:00 a.m., at the Allouez Fire Department.

Item #5. Old Business.

Muller reminded to pay the \$5 annual membership dues and notify him of any phone number and/or e-mail changes.

No P.R. was done for arson awareness week this year.

Item #6. New Business.

The spring IAAI conference is June 2-4, 2009.

Bernie Madison resigned as an intern as he is no longer with the Howard Fire Department. A thank you letter will be sent to him for his years of service.

Item #7. Juvenile Firesetter Business.

Seidl stated that we need to keep in contact with the Lions Clubs, breakfast clubs, and local fire departments on an annual basis to keep the donations coming in for the safety house. They are always willing to donate. It was suggested checking again with the Cornerstone Foundation and Green Bay Packers as we are now a 501(c)(3) organization and they might now donate. Contact Seidl or Nick Craig if interested in being on a committee to solicit donations. Former Green Bay fire chief Jeff Stauber is willing to write grants. Davidson reported that he got the check from the city for the safety house funds they were holding in trust and that a bank account has been opened at Chase Bank in which \$1,600 was put into a checking account and \$11,067 into a CD.

FITF General Membership
May 28, 2009
Page 3 of 3

Gabe reported that Green Bay had one JFS case. Stupka reported that De Pere had three JFS cases.

Still looking for storage space for the safety house. May need to lease space if nothing is found. Muller reminded that the department who uses the safety house is responsible for refueling it after and for any damage done to it.

Item #8. Other Matters.

Muller, Hendricks, and Neville will review the bylaws for any changes that need to be made.

Item #9. Set Date, Time, and Location of Next Meeting.

The next meeting is set for Thursday, September 3, 2009, at 7:00 p.m., at Bellevue fire station #1, 3100 Eaton Road, Green Bay, WI.

Motion was made by Seidl and seconded by Gabe to adjourn the meeting. **Motion carried.**

Item #10. Training.

No training was held.

Respectfully submitted,

Marsha Laurent
Recording Secretary

PROCEEDINGS OF THE BROWN COUNTY
PUBLIC SAFETY COMMITTEE

Pursuant to Section 19.84 Wis. Stats., a special meeting of the **Brown County Public Safety Committee** was held on Tuesday, August 25, 2009 in Room 200 of the Northern Building, 305 East Walnut Street, Green Bay, WI.

Present: Andy Nicholson-Chair, Carole Andrews, Bill Clancy, Tom DeWane.
Excused: Andy Williams.
Also Present: Bob Heimann, Harold Kaye, Fred Mohr, Shelly Nackers, Jim Nickel, Jayme Sellen.
Supervisor Jack Krueger.

1. **Call Meeting to Order:**
The meeting was called to order by Chair Andy Nicholson at 2:00 p.m.
2. **Approve/Modify Agenda:**

Motion made by Supervisor DeWane and seconded by Supervisor Andrews to approve. MOTION APPROVED UNANIMOUSLY

3. **Discussion of the Termination Agreement with FoxComm including Possible Action.**
Attorney Fred Mohr said he met with Attorney John Bodnar in Appleton last week, and they reviewed the Agreement. Attorney Mohr said he told Attorney Bodnar that the most important issue for Brown County right now is to obtain the data needed to get the system up and running. Attorney Mohr said it is FoxComm's position that FoxComm is to be the legal custodian of Brown County's historical records; and Attorney Mohr said he does not have an issue with this. He added FoxComm does not want Brown County to have FoxComm's historical data; therefore, he included that stipulation in the Termination Agreement.

Supervisor Bill Clancy asked who would be responsible if FoxComm inadvertently released some of Brown County's information. Attorney Mohr said he discussed this with John Luetscher, Brown County Corporation Counsel; and they agreed that Brown County would have absolutely no liability.

Attorney Mohr likened this to a couple getting divorced and said there has been a lot of misunderstanding as to Brown County's rights. Attorney Mohr said Brown County's rights are limited and reviewed what Brown County was actually giving up. He opined that Brown County was not giving up anything of importance.

Concerning the costs, Attorney Mohr said that issue can be addressed at a later date; because if Brown County makes that an issue right now, the new system will not be operational in time.

Supervisor Jack Krueger asked why FoxComm would not want to share their data, since law enforcement indicates that it is advantageous to share data. Attorney Mohr said FoxComm is concerned that the information could be released since Brown County is not the legal custodian and, therefore, not under the same statutory obligations.

Supervisor Carole Andrews asked if FoxComm would be able to go in and read Brown County's data. Attorney Mohr said it is possible, but "let's not lose sight of what we are talking about." He stated that since this is historical incident data, what difference would it make if FoxComm does this? He indicated that if personally identifiable information were released to the public somehow, Brown County would have grounds for a lawsuit.

Attorney Mohr referred to the "Agreement Regarding Brown County's Notice of Termination from FoxComm Consortium" (copy attached) that he distributed, and said this agreement allows Brown County "to move on with our lives." Provided this Committee recommends and FoxComm's Committee recommends that this be adopted, then steps can begin tomorrow afternoon.

When Supervisor Andrews questioned Item No. 5 of the Agreement, she expressed concern that Brown County would be delayed until after December 31st and would be forced to incur additional costs. Attorney Mohr said he is not concerned about this; he would get an injunction; and he opined that "no court would allow our system to go down."

Supervisor Clancy asked how confident Attorney Mohr is that Brown County will be on schedule if the Committee approves this. Attorney Mohr said he has been told that if the Agreement is approved and the configuration files are received in the next few days, Brown County will be right on schedule. When Mr. Clancy asked what would happen if FoxComm delayed this, Attorney Mohr said he would then have to go to Court and try to get an injunction. He opined that there is a good possibility that Brown County would be successful; however, this could cause a delay. He said it is better to operate on a voluntary basis and has been assured by Attorney Bodnar that he sees no roadblocks from the FoxComm Committee.

Supervisor Krueger asked if Jim Nickel, Public Safety Communications Director, could speak to this issue. Chair Nicholson asked Mr. Nickel to approach the Committee, and Mr. Nickel said he was requested not to discuss this. When Chair Nicholson asked Mr. Nickel who told Mr. Nickel not to speak, he said it was County Executive Tom Hinz. Mr. Nickel said this was Attorney Mohr's area of responsibility in terms of offering legal advice; he has operational concerns that he has already expressed. Chair Nicholson asked Attorney Mohr if he knew what the concerns were. Attorney Mohr said one concern that he has already addressed was the fact that FoxComm has Brown County's data. The other area of concern that Attorney Mohr said Mr. Nickel had was the area of cost. Again, Attorney Mohr said he did address that area and recognized that this may be an issue at a later date.

Attorney Mohr asked Mr. Nickel if Brown County gets "those configuration files and Motorola starts doing that even this week, we are not going to be out of line to get our scheduled fully operational data up in time by the end of the year, are we?" Mr. Nickel said no, if we get the data soon that is not a problem. Attorney Mohr said he was told by Attorney Bodnar that "he (Bodnar) believes that with tomorrow's meeting he will have the authority to give the okay to get us into those configuration files."

Supervisor Andrews asked for Bob Heimann's, Information Services Director, input. Mr. Heimann said he thinks Attorney Mohr has really examined this issue, gained a lot of insight into it, and appreciates his efforts. He said Brown County is a little behind schedule because of this, but should be able to meet the end of October cut-over assuming that nothing else arises.

Supervisor Clancy questioned where the funds would come from for this cost if a settlement has to be made. Attorney Mohr said the County Executive has told him that if it is not a lot of money, the County Executive will find the funds.

Supervisor Krueger asked Attorney Mohr if Brown County owed 40 percent of FoxComm's costs under the contract until December 31, 2009. Attorney Mohr said that is correct; however, there are provisions if FoxComm goes over budget. He said we do not give them a blank check; we budget a dollar amount and that is where the cap is.

Motion made by Supervisor Andrews and seconded by Supervisor DeWane to approve. MOTION APPROVED UNANIMOUSLY

4. **A closed session pursuant to sec. 19.85(1)(e), Wis. Stats., to deliberate or negotiate specified public business requiring a closed session for competitive or bargaining reasons to discuss the termination agreement with FoxComm:**

None.

5. **Such other matters as authorized by law. None.**

Motion made by Supervisor Andrews and seconded by Supervisor Clancy to adjourn at 2:34 p.m. MOTION APPROVED UNANIMOUSLY

Respectfully submitted,

Lisa M. Alexander
Recording Secretary

Agreement Regarding Brown County's Notice of Termination from FoxComm Consortium

WHEREAS, on November 6, 2008, a notice of termination by Brown County from the FoxComm Consortium was delivered by Brown County to the Calumet, Outagamie and Winnebago County Clerks, the County Executives of Outagamie and Winnebago County and the County Administrator of Calumet County: and

WHEREAS, the members of the FoxComm Fiscal Advisory Board (FAB) accept the terms of said notice and the termination date of December 31, 2009 relating to the participation of Brown County in the FoxComm Consortium; and

WHEREAS, the County Executives of Brown, Outagamie and Winnebago County and the County Administrator of Calumet County and members of the FoxComm FAB (hereinafter referred to as "FAB") have reviewed a list of hardware, software, equipment and furniture owned by FoxComm and located within Brown County.

NOW, THEREFORE, IT IS HEREBY AGREED TO by and between the County Executives of Brown, Outagamie and Winnebago County and the County Administrator of Calumet County and the FAB members, as follows:

1. Brown County will be considered a fully committed partner in the FoxComm Consortium (hereinafter referred to as "FoxComm") until December 31, 2009 and shall participate in its operation until that date in accordance with all existing agreements.

2. That all hardware, software, equipment and furniture owned by FoxComm and located in Brown County shall be made available for delivery to the remaining FoxComm participants in the third quarter of 2009. Delivery will be procured and managed by FoxComm staff. Relocation costs, which shall include any expenses for reinstallation of equipment, will be paid by FoxComm under the existing cost sharing formula by Brown, Calumet, Outagamie and Winnebago Counties.

3. That all hardware and software licenses currently being held by Brown County on behalf of FoxComm will be transferred to FoxComm by July 1, 2009.

4. To relieve Brown County of additional expenses for FoxComm administration, administrative responsibility as the fiscal agent for FoxComm will be transferred to Calumet County on October 1, 2009. Fiscal administration of all grant or funding opportunities after January 8, 2009 shall be conducted by Calumet County.

5. Network connections to Brown County will be terminated after December 31, 2009, *unless a separate written agreement is initiated to continue* Brown County's direct access to the system for use of the FoxComm system after date of termination. A procedure for record retrieval during the statutory record retention period, which is usually seven years, shall be developed by FoxComm for retrieval of any Brown County records in the custody of FoxComm after the date of Brown County's termination from FoxComm.

6. Brown County will contract with Motorola, at Brown County's expense, to copy all the configuration files from the FoxComm system for transfer to the new Brown County system (i.e., CAD database and Open Query Form configuration files). FoxComm will cooperate and assist with the orderly transfer of such configuration files. Brown County will remove and delete any configuration data or incident data not required by Brown County. Brown County shall notify FoxComm that the unnecessary files have been deleted at which time a FoxComm representative will be given access to the Brown County system in order to verify that the unnecessary files have been deleted. Brown County agrees to delete the unnecessary files prior to the time the Brown County system becomes fully operational.

7. Brown County will contract with Motorola to copy all agency incident and incident related files from FoxComm for transfer to the new Brown County system. Motorola will create a Brown County only database for the new Brown County system.

Dated this _____ day of _____, 2009.

FoxComm Fiscal Advisory Board

By: _____
 Brian Leonhardt, Chairman
 Calumet County Board of Supervisors

By: _____
 Patty Francour, Vice-Chair
 Winnebago County Admin.

By: _____
 Gerald Pagel
 Calumet County, Sheriff

By: _____
 Michael E. Brooks
 Winnebago County, Sheriff

By: _____
Howard Mezera
Calumet County Admin.

By: _____
Patrick Brennand
Winnebago County
Board of Supervisors

By: _____
Bradley Gehring
Outagamie County, Sheriff

By: _____
Paul Hirte
Outagamie County
Board of Supervisors

By: _____
Tom Pynaker
Outagamie County Admin.

By: _____
James V. Nickel
Brown County PSC Director

By: _____
Lynn VandenLangenberg
Brown County Admin.



**BROWN COUNTY
BOARD OF SUPERVISORS
COURT HOUSE
GREEN BAY, WISCONSIN**

BROWN COUNTY BOARD OF SUPERVISORS

Meeting Date: _____

Agenda No. : _____

Motion from the Floor

I make the following motion: _____

Review ~~BE~~ Requirements of ID When applying
for any Social Services from the County.

Discuss the possibility of making Brown County
Requirements of ID stricter to prevent Fraud

Signed: _____

District No: _____

230

(Please deliver to the County Clerk after the motion is made for recording into the minutes.)

REQUEST FOR BUDGET TRANSFER

INSTRUCTIONS: This form is to be completed for any Category 1, 2a, 2b, 3, 4, or 5 budget transfer. Completed forms should be submitted to the Department of Administration.

TYPE OF TRANSFER
(check one)

DESCRIPTION

APPROVAL LEVEL

- | | | |
|--|--|------------------|
| <input type="checkbox"/> Category 1 | Reallocation from one line item to another within the major budget categories | Department Head |
| <input type="checkbox"/> Category 2 | <input type="checkbox"/> a. Change in Outlay not requiring transfer of funds from another major budget category. | County Executive |
| | <input type="checkbox"/> b. Change in any item within Outlay account which requires the transfer of funds from any other major budget category or the transfer of Outlay funds to another major budget category. | County Board |
| <input type="checkbox"/> Category 3 | <input type="checkbox"/> a. Reallocation between Budget Categories other than 2b or 3b transfers. | County Executive |
| | <input type="checkbox"/> b. Reallocation of Salaries and Fringe Benefits to another major budget category except contracted services, or reallocation to Salaries and Fringe Benefits from another major budget category except contracted services. | County Board |
| <input checked="" type="checkbox"/> Category 4 | Interdepartmental Transfer (including contingency or general fund transfers) | County Board |
| <input type="checkbox"/> Category 5 | Increase in Expenditures with Offsetting Increase in Revenue | County Board |

DESCRIPTION AND JUSTIFICATION (attach additional sheets as needed). In narrative form, describe the requested transfer to include amount, account to transfer from, account to transfer to, and the effect on revenue and expense.

Request to cover the 2008 deficit of \$40,362 for the District Attorney. The shortfall was attributable to the reclassification of legal assistants to a higher rate of pay, casual payouts, overages of student/extra help along with an overage in Paper Service – Legal. This overage was due to increased process fees and an increase in the number of rescheduled cases requiring subpoenas to be served multiple times.

Increase 10-2410-500101	Salaries	25,773
Increase 10-2410-500910	Paper Service – Legal	14,589
Increase 10-2410-489900	Fund Balance Applied	40,362

DISTRICT ATTORNEY.
Department

John P. Zabrowski
Department Head

6/23/09
Date

☒ Approved

☐ Disapproved

Gene Hong
County Executive

8/12/09
Date

[Handwritten signature]

BROWN COUNTY SHERIFF'S DEPARTMENT**Key Factor Report for the Public Safety Committee**

08/25/09

D. Hein

Meeting: **Sept.****2009 data****Jail Statistics:**

Avg. Daily Total Jail Population - (latest mo.) *	741.8
(includes secure, Huber, juvenile and inmates from other counties and federal inmates)	
Avg. Daily Total Jail Population - (all current year - 2009)	721.6
(includes secure, Huber, juvenile and inmates from other counties and federal inmates)	
Avg. Daily Total Jail Population - (all prior year - 2008)	721.2
(includes secure, Huber, juvenile and inmates from other counties and federal inmates)	
Avg. Daily Jail Pop. from Counties/State/Feds (latest mo.)*	14.3
(adult inmates only)	
Avg. Daily Jail Pop. from Counties/State/Feds (all current year)	22.8
(adult inmates only)	
Avg. Daily Jail Pop. from Counties/State/Feds (all prior year)	40.5
(adult inmates only)	
Adult Jail Revenue from Counties/State/Feds - (latest mo.) **	\$29,640
Adult Jail Rev. from Counties/State/Feds - (all current year) **	\$319,800
Revised Budget Adult Jail Rev. from Counties/State/Feds	\$711,750
Projected Total Adult Jail Rev. from Counties/State/Feds	\$548,229
Prior Year (2008) Revenue From Counties/State/Feds	\$893,384

* Latest month for population data = July, 2009

** Latest month for revenue = July, 2009

Note: ADP figures for 2008 and 2009 were re-stated

Overtime Statistics:

Avg. Monthly Overtime Expenditures through (latest mo.) *	\$152,149
Overtime Expenditures for 2009 through (latest mo.) *	\$1,065,046
Jail Overtime included in above figure through (latest mo.) *	\$598,713
Current Year Revised Overtime Budget for entire year	\$1,443,802
Prior Year Overtime Expenditures through (latest mo.) *	\$958,641
Prior Year Total Overtime Expenditures (2008)	\$1,969,007

* Latest month = July, 2009

Budget/Actual Expenditures:

Total Actual Sheriff's Dept. Expenditures through (latest mo.) *	\$19,036,904
Total Annual Amended Budget	\$34,945,133
Percent of Total Annual Amended Budget spent	54.5%

* Latest month = July, 2009

Jail ADP
by Mo 2009
revised

BROWN COUNTY SHERIFF'S DEPARTMENT
Jail Average Daily Population by Month and Type
For the Calendar Year 2009

<u>Monthly Averages</u>									
	Main Jail <u>Lockup</u>	Huber <u>Facility</u>	Brown Co Adult <u>Sub-Total</u>	Boarded from State or Counties	Boarded from Fed. Sources	All Adult <u>Sub-Total</u>	Electronic <u>Monitoring</u>	Juvenile *	Grand <u>Total</u>
Jan. '09	404.3	180.7	585.0	-	27.4	612.4	35.3	4.4	652.0
Feb.	393.8	182.9	576.8	-	26.4	603.2	40.8	6.3	650.3
Mar.	456.6	200.0	656.5	-	24.8	681.4	51.2	7.6	740.2
Apr.	451.0	204.1	655.1	-	25.5	680.6	50.0	8.8	739.4
May	476.7	200.0	676.7	-	22.3	699.0	51.7	11.5	762.2
June	478.9	206.5	685.4	-	18.5	703.9	51.7	9.9	765.5
July	476.3	196.3	672.6		14.3	686.9	46.2	8.6	741.8
Aug.									
Sep.									
Oct.									
Nov.									
Dec.									
YTD Avg. **	448.2	195.8	644.0	-	22.8	666.8	46.7	8.2	721.6
2008 Avg.	440.9	187.8	628.6	15.1	25.4	669.1	40.1	12.0	721.2
2007 Avg.	464.9	186.4	651.3	22.4	37.3	711.1	36.5	10.6	758.2
2006 Avg.	427.2	165.6	592.8	6.9	45.5	641.1	40.4	13.0	694.6
2005 Avg.	403.5	142.1	545.6	19.2	25.9	590.7	41.2	14.0	646.0
2004 Avg.	388.2	124.0	512.3	13.8	32.8	553.4	33.1	12.1	598.6
2003 Avg.	395.1	127.3	522.4	9.4	17.9	549.6	12.5	13.2	575.2
% change '08 to '09	1.7%	4.3%	2.4%	-100.0%	-10.3%	-0.4%	16.6%	-32.2%	0.1%

Notes:

During late 2008 and early 2009, some inmates were boarded at another county jail due to the Communication Center construction project - an average of just under 16 for January 2009.

Federal inmates are primarily from US Marshal Services but may also include some inmates from Bureau of Prisons.

Prior to 2007, inmates from other counties were boarded in the Brown County Jail. In 2007 there were no inmates from other counties but there were inmates from the state boarded that year.

The above figures include inmates who are AWOL or on temporary leave, which is typically about 16 persons

The Huber Facility figure includes all inmates housed in that facility whether they actually are work release eligible

* Juvenile includes both Brown County juveniles and juveniles from other counties.

** YTD avg. is an average of averages and is not exactly the same as would be computed by taking the total number of inmate days and dividing by 365. However, the YTD avg. is reasonably close.

REQUEST FOR BUDGET TRANSFER

INSTRUCTIONS: This form is to be completed for any Category 1, 2a, 2b, 3, 4, or 5 budget transfer. Completed forms should be submitted to the Department of Administration.

TYPE OF TRANSFER
(check one)

DESCRIPTION**APPROVAL LEVEL**
☐ Category 1

Reallocation from one line item to another within the major budget categories

Department Head

☐ Category 2

☐ a.

Change in Outlay not requiring transfer of funds from another major budget category.

County Executive

☐ b.

Change in any item within Outlay account which requires the transfer of funds from any other major budget category or the transfer of Outlay funds to another major budget category.

County Board

☐ Category 3

☐ a.

Reallocation between Budget Categories other than 2b or 3b transfers.

County Executive

☐ b.

Reallocation of Salaries and Fringe Benefits to another major budget category except contracted services, or reallocation to Salaries and Fringe Benefits from another major budget category except contracted services.

County Board

☒ Category 4

Interdepartmental Transfer (including contingency or general fund transfers)

County Board

☐ Category 5

Increase in Expenditures with Offsetting Increase in Revenue

County Board

DESCRIPTION AND JUSTIFICATION (attach additional sheets as needed). In narrative form, describe the requested transfer to include amount, account to transfer from, account to transfer to, and the effect on revenue and expense.

Request to cover the Sheriff's 2008 deficit in the amount of \$1,034,553. Major contributors to the shortfall were an excess in overtime and projected Jail revenues that failed to materialize. See attached for additional details.

Increase	Overtime Earnings	602,805
Decrease	Prisoners Board - Federal	431,748
Increase	Fund Balance Applied	1,034,553

Sheriff's Dept.
Department

Don Kell
Department Head

6/15/09
Date

☒ Approved

☐ Disapproved

Don Kell
County Executive

8/13/09
Date

Don Kell

SHERIFF'S DEPARTMENT

Brown County

300 EAST WALNUT
P.O. BOX 22003
GREEN BAY, WISCONSIN 54305-2003
PHONE (920) 448-4200 FAX (920) 448-4206



DENNIS KOCKEN
SHERIFF

To: **Lynn VandenLangenberg, Director of Administration**

From: **Sheriff Dennis Kocken** *DK*

Date: **May 20, 2009**

Subject: **2008 Budget Shortfall and 2009 Observations**

The 2008 financial statements are still "un-audited" but with no material changes anticipated we can assume the figures now available will remain virtually unchanged. Unfortunately, those 2008 figures represent a net budget shortfall of \$1,034,553, of which \$725,106 is due to revenues falling short of budget and \$309,447 is due to expenditures exceeding budget. I therefore request that the net shortfall be covered with a transfer from the County's general fund.

While the shortfalls listed above are large dollar amounts, when viewed in terms of percentages of the total budget they are less dramatic. Revenues were 2.20% under budget and expenditures were only 0.94% over budget. The combined effect is a shortfall of 3.13% of total budget as illustrated on the attached document.

Sources of 2008 Shortfalls

Clearly the largest reason for the shortfall is that projected Jail revenues failed to materialize to the extent budgeted. Part of that was due to over-optimism on the part of the Sheriff's Department and that was compounded by further over-optimism by the County Board. The Sheriff's Department's budget anticipated a total of \$1,186,250 in boarding revenue for adult inmates but the Public Safety Committee bumped that up \$365,000 for a total of \$1,551,250. Unfortunately, only \$893,384 was actually collected – impacted by the effects of closing one Jail pod for construction on the new communications center. The net effect of the adult boarding revenue shortfall was \$657,866.

A second significant reason for the revenue shortfall was the dramatic decrease in Huber prisoners revenue. That was budgeted at \$860,000, based on a fee of \$20 per day and an average daily population of employed Huber inmates of just under 118. However, economic conditions resulted in a lower number of inmates being employed so the revenue was only \$582,495, resulting in a shortfall of \$277,505.

A third significant revenue shortfall was due to an oversight in the budgeting process which allowed a \$120,000 Other Insurance Recoveries figure from the 2007 budget to be carried over into the 2008 budget. No revenue was posted to that account in 2008, resulting in a \$120,000 shortfall. In hindsight, that revenue should have been zeroed out when the 2008 budget was created but it was not detected until far into the budget process.

Adding up the above listed revenue shortfalls produces a figure of \$1,055,371 but the actual revenue shortfall was \$725,106. That is because there were several areas in which revenue exceeded the budget including Sheriff Services, State Probation/Parole Revenue, Brown County Municipal Jail Revenue and Other Misc. Revenue. As an interesting aside, while the Probation/Parole Revenue was

\$116,734 greater than budgeted, had the State of Wisconsin reimbursed Brown County at the statutory rate of \$40.00 per day, rather than the actual amount of \$29.18 per day, the revenue would have been \$173,066 greater.

Expenditure over-runs were primarily in the area of wages. Overtime went \$602,805 over budget but in prior years those overruns would somewhat offset by vacancy savings. However, in 2008 even the total of Regular and Paid Leave Earnings exceeded the budget by \$197,158. That suggests that either vacancy savings were well under projected or there was a flaw in the budgeting of regular and paid leave costs. Fortunately, fringe benefits came in well under budget offsetting over half of the wage overruns. The net result of wages and fringes was an overrun of \$292,107.

There were some other expenditure overruns, including costs for prisoner transportation (including about \$20,000 for the Geske trial) and \$27,599 in excess Jail dental costs, but those were largely offset by under-spending in other areas.

2009 Observations

The Jail boarding revenue issues were already well known when the 2009 budget was being compiled so budgeted revenue was cut back significantly. For 2009, combined federal and state adult boarding revenues total \$711,750, down from 2008's budgeted \$1,551,250 and less than 2008's actual \$893,384. Even so, through April the total revenues are trending under budget and at this point the revenue is projected at \$628,095 – still a potential shortfall but no where near the situation in 2008.

Huber revenues were similarly scaled back in 2009 from \$860,000 in 2008 to \$650,000. That is still higher than 2008's actual revenue of \$582,495. Through April the 2009 revenue projects to only \$501,993 but both March and April showed increases over prior months so it is very possible that the actual revenue will be closer to 2008's figure.

The 2009 budget finally corrected the issue regarding Other Insurance Recoveries and nothing was budgeted in that line so there will be no built-in shortfall for that line again in 2009.

In regard to expenditures, through April total wages are \$268,094 or 4.77% under the year-to-date budget and fringes are \$244,397 or 8.01% under the year-to-date budget. Total expenditures through April are \$823,560 or 7.13% under budget. Last year through April, the expenditures were only running 0.70% under budget. It's difficult to project too far into the remainder of 2009 but the trend so far is looking positive.

Conclusion

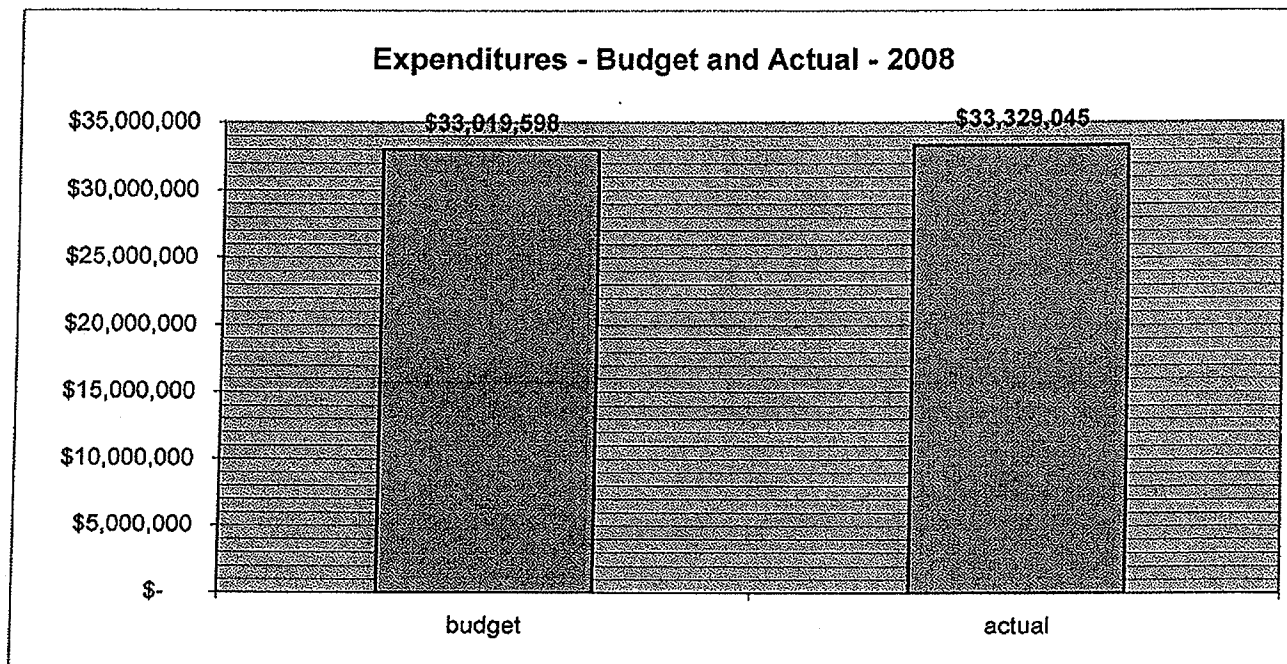
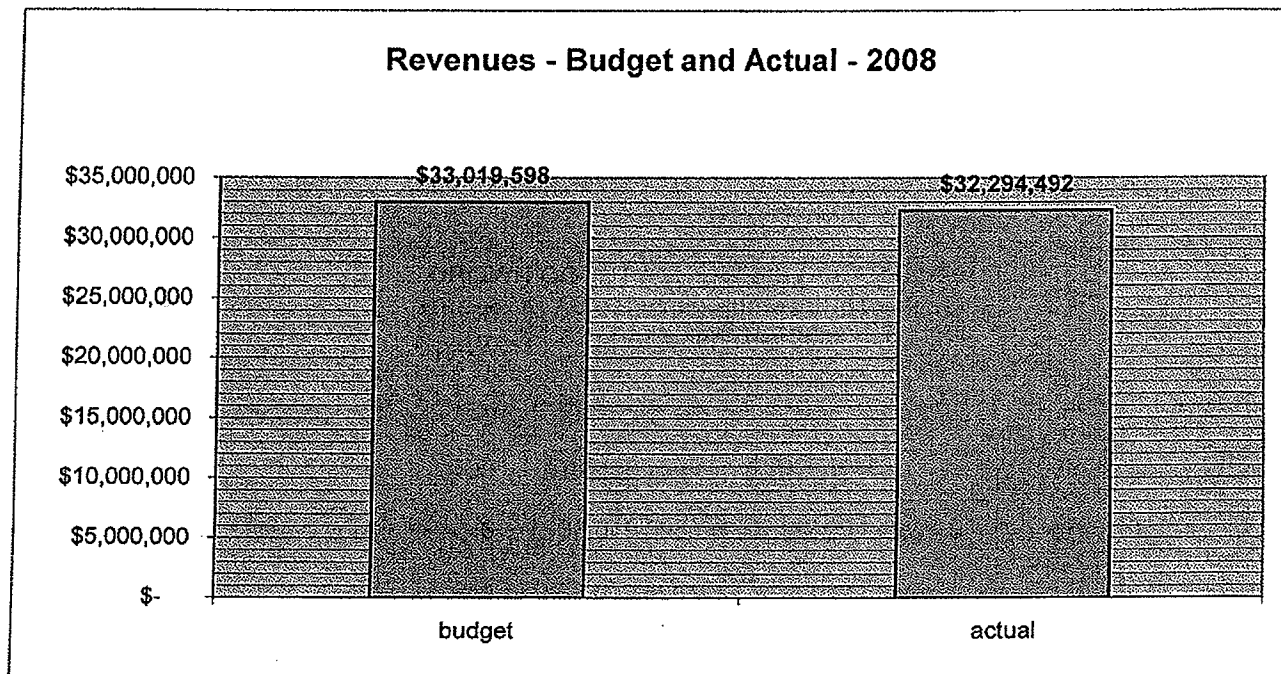
Clearly, 2008 was a year in which our best estimates and projections of revenues and expenditures failed to completely materialize. Even so, on a percentage basis the actual and budget variances were relatively small. Hopefully, some of the changes made in the 2009 budget will address those problematic areas and reduce or preferably eliminate any net shortfalls.

Attachment: Budget to Actual graphs

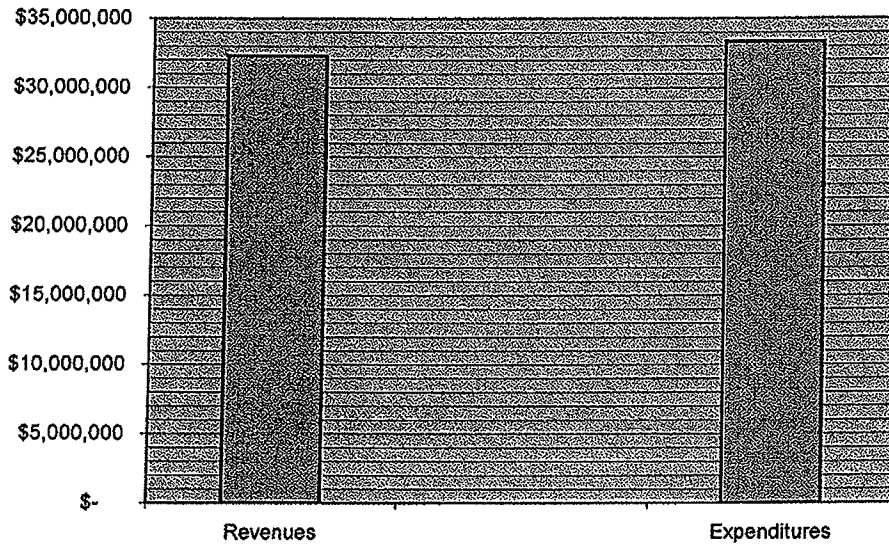
Budget Actual
2008 unaudited
(incl. per. 14 data)

BROWN COUNTY SHERIFF'S DEPARTMENT
Budget to Actual Expenditures and Revenues
For Calendar Year 2008

	<u>Budget</u>	<u>Actual (est.)</u>	<u>Favorable/ (unfavorable) Variance</u>	<u>Percent of Budget</u>
Revenues (A/R not entered yet)	\$ 33,019,598	\$ 32,294,492	\$ (725,106)	-2.20%
Expenditures	\$ 33,019,598	\$ 33,329,045	\$ (309,447)	-0.94%
Excess Revenue/(Expenditures)	\$ -	\$ (1,034,553)	\$ (1,034,553)	-3.13%



Actual Revenues and Expenditures - 2008



REQUEST FOR BUDGET TRANSFER

INSTRUCTIONS: This form is to be completed for any Category 1, 2a, 2b, 3, 4, or 5 budget transfer. Completed forms should be submitted to the Department of Administration.

TYPE OF TRANSFER (check one)

DESCRIPTION

APPROVAL LEVEL

- | | | |
|--|---|--------------------------------------|
| <input type="checkbox"/> Category 1 | Reallocation from one line item to another within the major budget categories | Department Head |
| <input type="checkbox"/> Category 2 | <input type="checkbox"/> a. Change in Outlay not requiring transfer of funds from another major budget category.
<input type="checkbox"/> b. Change in any item within Outlay account which requires the transfer of funds from any other major budget category or the transfer of Outlay funds to another major budget category. | County Executive

County Board |
| <input type="checkbox"/> Category 3 | <input type="checkbox"/> a. Reallocation between Budget Categories other than 2b or 3b transfers.
<input type="checkbox"/> b. Reallocation of Salaries and Fringe Benefits to another major budget category except contracted services, or reallocation to Salaries and Fringe Benefits from another major budget category except contracted services. | County Executive

County Board |
| <input type="checkbox"/> Category 4 | Interdepartmental Transfer (including contingency or general fund transfers) | County Board |
| <input checked="" type="checkbox"/> Category 5 | Increase in Expenditures with Offsetting Increase in Revenue | County Board |

DESCRIPTION AND JUSTIFICATION (attach additional sheets as needed). In narrative form, describe the requested transfer to include amount, account to transfer from, account to transfer to, and the effect on revenue and expense.

Due to the resignation of the officer assigned to the Village of Allouez as their DEO II officer, the Village wishes to leave the position un-funded for the remainder of 2009. This results in a pro-rated decrease of revenues and a corresponding decrease in expenses as listed below:

Decrease:	100.074.070.4700.453	Intergovt. Charges - Police Services	\$31,960
Decrease:	100.074.070.5100	Regular Wages	\$20,635
Decrease:	100.074.070.5110.100	Fringe Benefits - FICA	\$11,325

Sheriff's Dept.
Department


Department Head

Aug. 24, 2009
Date

☒ Approved

☐ Disapproved


County Executive

8/26/09
Date


8/25/09

TEEN COURT TOTALS			
<u>Jul-09</u>			
NUMBER OF COURT CASES:		5	
NUMBER OF REFERRALS:		3	
REFERRAL SOURCES:		All Green Bay	
			2 Disorderly Conduct
			1 Criminal Damage to Property
SUCCESSFUL COMPLETIONS:		8	
UNSUCCESSFUL COMPLETIONS:		0	
NUMBER OF TEEN VOLUNTEERS TRAINED:		0	
NUMBER OF TEEN ATTORNEYS TRAINED:		0	
YEAR TO DATE DEFENDANT SERVICE HOURS:		295	
YEAR TO DATE TOTAL TEEN VOLUNTEER HOURS:		378.5	
Unsuccessful means they did not complete a part of their sentence in the time frame that was given.			
<u>Highlights/News</u>			
1) Status of grant application still pending. According to the website the application deadline was extended until June 15 so we will not hear until September if we received funds or not.			

REQUEST FOR BUDGET TRANSFER

INSTRUCTIONS: This form is to be completed for any Category 1, 2a, 2b, 3, 4, or 5 budget transfer. Completed forms should be submitted to the Department of Administration.

TYPE OF TRANSFER
(check one)

DESCRIPTION**APPROVAL LEVEL**
☐ Category 1

Reallocation from one line item to another within the major budget categories

Department Head

☐ Category 2

☐ a.

Change in Outlay not requiring transfer of funds from another major budget category.

County Executive

☐ b.

Change in any item within Outlay account which requires the transfer of funds from any other major budget category or the transfer of Outlay funds to another major budget category.

County Board

☐ Category 3

☐ a.

Reallocation between Budget Categories other than 2b or 3b transfers.

County Executive

☐ b.

Reallocation of Salaries and Fringe Benefits to another major budget category except contracted services, or reallocation to Salaries and Fringe Benefits from another major budget category except contracted services.

County Board

☒ Category 4

Interdepartmental Transfer (including contingency or general fund transfers)

County Board

☐ Category 5

Increase in Expenditures with Offsetting Increase in Revenue

County Board

DESCRIPTION AND JUSTIFICATION (attach additional sheets as needed). In narrative form, describe the requested transfer to include amount, account to transfer from, account to transfer to, and the effect on revenue and expense.

Request to cover the Clerk of Courts 2008 deficit in the amount of \$57,379. The shortfall was mainly attributable to the reduced collection of fines and forfeiture revenues, particularly County Ordinance Forfeitures. See attached for additional explanations.

Decrease	County Ordinance Forfeitures	57,379
Increase	Fund Balance Applied	57,379

Clerk of Courts
Department

Rusi Yelkhan
Department Head

6-15-09
Date

☒ Approved

☐ Disapproved

Tom Henry
County Executive

8/11/09
Date

(Handwritten signature)

CLERK OF CIRCUIT COURT

Brown County



100 SOUTH JEFFERSON STREET
P.O. BOX 23600
GREEN BAY, WISCONSIN 54305-3600
TELEPHONE (920) 448-4155
FAX (920) 448-4156
WWW.CO.BROWN.WI.US/CLERK_OF_COURTS

LISA WILSON
CLERK OF CIRCUIT COURT
(920) 448-4179

LAURI MARENGER
CHIEF DEPUTY
(920) 448-4154

NEIL BASTEN
FINANCIAL OPERATIONS MANAGER
(920) 448-4501

To: Lynn VandenLangenberg, Director of Administration

From: Lisa Wilson, Clerk of Circuit Courts

Date: May 15, 2009

Re: 2008 Budget Variances

2008 Budget Variances

County Ordinance Forfeitures and Penal Fines for Cty Civil Fees – both of these accounts were affected by our economy. Fines and Fees are assessed and defendants are given ample amount of time to pay, but obviously we can't make them pay. We turn accounts over to the start for tax intercept, we turn account over to collection agencies, issue warrants for past due balances, and issue a civil judgment. The 2009 budget was changed to reflect these issues. Also, we have had a successful five months of intercepting taxes.

Bail/Bond Forfeitures – Bail forfeitures occur when the defendants fail to appear for a hearing. The judge will then issue a warrant for their arrest and forfeiture bond. This is hard to predict who will or will not show up for hearing.

Interest on Investments - Another account affected by our economies downward slide. That combined with the changing of bank account drastically affected this account in 2008. Our current interest rate is 0.25% with JP Morgan compared to the nearly 5.00 % we had at one point with Associated Bank. This account will need to be adjusted in the 2009 budget.

If you need additional information or have any questions, please call.

Lisa Wilson
Clerk of Circuit Courts

REQUEST FOR BUDGET TRANSFER

INSTRUCTIONS: This form is to be completed for any Category 1, 2a, 2b, 3, 4, or 5 budget transfer. Completed forms should be submitted to the Department of Administration.

<u>TYPE OF TRANSFER</u> <u>(check one)</u>	<u>DESCRIPTION</u>	<u>APPROVAL LEVEL</u>
<input type="checkbox"/> Category 1	Reallocation from one line item to another within the major budget categories	Department Head
<input type="checkbox"/> Category 2	<input type="checkbox"/> a. Change in Outlay not requiring transfer of funds from another major budget category. <input type="checkbox"/> b. Change in any item within Outlay account which requires the transfer of funds from any other major budget category or the transfer of Outlay funds to another major budget category.	County Executive County Board
<input type="checkbox"/> Category 3	<input type="checkbox"/> a. Reallocation between Budget Categories other than 2b or 3b transfers. <input type="checkbox"/> b. Reallocation of Salaries and Fringe Benefits to another major budget category except contracted services, or reallocation to Salaries and Fringe Benefits from another major budget category except contracted services.	County Executive County Board
<input checked="" type="checkbox"/> Category 4	Interdepartmental Transfer (including contingency or general fund transfers)	County Board
<input type="checkbox"/> Category 5	Increase in Expenditures with Offsetting Increase in Revenue	County Board

DESCRIPTION AND JUSTIFICATION (attach additional sheets as needed). In narrative form, describe the requested transfer to include amount, account to transfer from, account to transfer to, and the effect on revenue and expense.

Request to cover the Circuit Courts 1-8 2008 deficit is the amount of \$72,759. The shortfall was mainly attributable to overages in jurors - daily fees and doctor exams. See attached for detailed explanations.

Increase	Jurors - Daily Fee	22,576
Increase	Dr. Exams	50,183
Increase	Fund Balance Applied	72,759

Circuit Court System
Department


Presiding Judge

June 15, 2009
Date


☒ Approved

☐ Disapproved


County Executive

8/12/09
Date

Memo

To: Lynn VandenLangenberg, Director of Administration
From: Presiding Judge J.D. McKay 
Date: May 8, 2009
Re: 2008 Budget Variances; Anticipated 2009 Budget Variances

2008 Budget Variances

Jurors – daily fee; food; mileage; witness fees; transcripts:

Budgeting for juror costs is hard to predict. When the courts' annual budget is prepared, consideration is given to the previous year's actual results, the current year's estimated results and known statutory mandates. However, when a sequestered or multiple-week jury trial occurs, it is very easy to exceed those budget expectations.

Doctor exams:

Due to a new law involving the review by adverse counsel of stipulated extensions, the requirement for an examination of the subject by two independent examiners has become more frequent and thus, more costly.

Interpreter services:

Pursuant to §885.38(3)(a), Wis. Stats., if the court determines that the person has limited English proficiency and that an interpreter is necessary . . . an interpreter will be provided at the public's expense . . . in any proceeding before a court of record. We have seen a substantial increase in interpreter fees as a result. We are presenting a Request for Proposal for Interpreter Services to the Public Safety Committee and County Board of Supervisors on May 6, 2009, and May 20, 2009, respectively.

2009 Anticipated Budget Variances

Judiciary costs will continue to fluctuate based on need. The cost for doctor examinations and interpreter services will undoubtedly exceed the 2009 budget for the reasons given.

In addition, the eight judicial assistants were accreted into the courthouse bargaining unit effective January 1, 2009. Pursuant to the Agreement between Brown County and the General Teamsters Union Local 662, the judicial assistants will receive longevity benefits and overtime pay. For these reasons, the amount budgeted for salaries will most likely be insufficient.

If you need additional information or have any questions, please call.

jme

